

**MINUTES OF THE REGULAR MEETING
OF THE
COMMUNITY PLANNING AND DEVELOPMENT BOARD**

March 9, 2004

Call to Order

Chair Hawley called the meeting to order at 6:00 p.m.

Roll Call

Present: Chair John Hawley, Vice-Chair Bill Raney, Carol Kempiaik, Ruben Jimenez and Alternate Jim Zwerg

Absent: Annette Napolitano, Earl Warren and Jim Burch

Council Members: Dr. Robert Doster

Staff Present: Liz Zeller, Phil Garthright, Larry Harmer, Woody Scoutten, Joe Blanton, Keith Watkins and Connie Meadows

APPROVAL OF MINUTES

Chair Hawley asked for a motion to approve the Minutes of the February 10, 2004 Regular Meeting. Vice-Chair Raney made a motion to approve the minutes of the February 10, 2004 Regular Meeting, seconded by Alternate Member Zwerg. The motion passed unanimously.

4. WITHDRAWALS/CONTINUANCES: None

5. NEW BUSINESS:

5A. CMPA03-128: TESOTA HILLS COMMUNITY MASTER PLAN

Request by David Burrows, with CMX, for Community Master Plan approval for "Tesota Hills" a proposed Master Planned community of approximately 444 acres located at the northeast corner of McDowell Road and the Dean Road Alignment. This property surrounds the Buckeye Flood Retarding Structure (FRS #3) and is southwest of the existing Verrado Master Planned Community. Tesota Hills proposes a maximum of 1,302 dwelling units reaching a maximum overall density of 2.9 dwelling units per acre. Ron Hilgart, of CMX, presented several exhibits discussing the Land Uses, the approximate lot widths and product types and the open space plan. The developers have planned around several washes, which have been delineated by the Corp Group of Engineers and their lotting and housing types will work with the surrounding native desert. Mr. Hilgart also discussed the small commercial site at McDowell Road and the entry road and the Fire Station site. Member Jimenez asked if this community will have an age restrictive

component and if not whether this site has planned for the school needs. Mr. Hilgart explained that they do not have any plans for an age restrictive component and have been in discussion with the school district and will utilize the schools in Verrado and have agreed to a financial donation to assist the district with the school facilities. Member Jimenez also questioned if the flood retention structure will be disclosed to potential homebuyers. Mr. Hilgart made a request to the Board and staff to revise stipulations; “e”, “k”, and “q”. Ms. Zeller stated that staff had reviewed the requested changes and said staff is acceptable with the revised language. Ms. Zeller also mentioned that with the change to stipulation “e” to add the language “preliminary” before the required drawings, a new stipulation, “f” would need to be added to discuss the “final” submittal of drawings. The applicant’s also agreed to the revised language. Vice Chair Raney asked about the language in stipulation “n”. Woody Scoutten, Town Engineer stated that Verrado will design McDowell Road, however, if Verrado has not proceeded forward with the design and this project will need to construct McDowell Road first then there is a possibility of the two designs not matching. Vice Chair Raney asked who will acquire the cost of the changes when the road needs to be completed. Mr. Scoutten said he was uncertain at this time. Chair Hawley opened the public hearing. There being no comments from the public, Chair Hawley closed the public hearing. Vice-Chair Raney made a motion to recommend approval of CMPA03-128 with the stipulation changes as, “e,” “f,” “k,” and “q,” seconded by Member Jimenez. The motion passed unanimously.

5B. CMP03-304: SOUTHWEST RANCH COMMUNITY MASTER PLAN

Request by Dave Ullrich, with RBF Consulting, on behalf of Harvard Investments, for Community Master Plan approval for “Southwest Ranch” a proposed Master Planned Community of approximately 455 acres located, for the most part, from the southeast corner of Tuthill and Broadway to the southwest corner of Jackrabbit Trail and Broadway down to the Union Pacific Rail Road track. A portion of the property lies between Jackrabbit Trail Road and Tuthill Road north of Broadway Road. Southwest Ranch proposes a maximum of 1,560 dwelling units reaching a maximum overall density of 4.0 dwelling units per acre. Ms. Zeller explained that staff has received some concerns from the large property owner to the west. Staff and the applicants have met with this property owner several times in order to work out the specific details. Mr. Ullrich presented to the Board that 28% of this project will be commercial and would provide an approximately ¼ mile buffer from the housing component of this project to the nearby dairy and proposed industrial park. Mr. Ullrich explained they located a large amount of open space, which traveled through the spine of the project to the railroad track. The residential portion provides single-family parcels with lot widths ranging from 48’ wide to 73’ wide to accommodate a variety of housing types and a multi-family parcel. Mr. Ullrich explained that the owners of this project have agreements in place with the school districts. Member Jimenez stated that those agreements are old and the superintendent of the school would like a project update from the owners. Mr. Ullrich explained that they had received the Rexco LLC comments and are willing to address most of them in the revised Community Master Plan submission. Vice-Chair Raney questioned why the water tank needed to be

located on the edge of this property and requested that the applicant's move the tank internally and not burden the other property owners with the tank location. Mr. Ullrich stated that the applicant will work with staff at providing a line of sight study and possibly moving the tank closer to the power lines. Vice Chair Raney also commented that the Vanderway property has manure ponding on the west portion of their property. Member Kempia asked what percentage of the project will have densities of 6.0 dwelling units to the acre. She also asked if there were any bike lanes proposed. Mr. Ullrich said the density may be 3.99 to 4.8, but that the maximum density allowed would be the 6.0 du/ac. These density numbers also include the multi-family housing parcel. Mr. Ullrich pointed out the location of the bike lanes on the street cross-section exhibits. Member Kempia questioned if the two major parks will be in flood plains. Mr. Ullrich stated the parks will be designed with the flood plains in mind. Ms. Zeller explained that a Master Plan will set density ranges for each parcel. This gives them the ability to transfer densities among residential parcels and plan a variety of lot types and housing products. Realistically, the single-family residential parcels will never hit that maximum 6.0 du/ac density. Vice Chair Raney also stated that the multi-family parcel will have its own site plan submittal with open space and amenity requirements.

Nick Vanderway, representing Rexco LLC, Grand View Dairy and Buckeye Industrial Rail Center, passed out a presentation outline and the Rexco requested changes to the Southwest Ranch Community Master Plan. Mr. Vanderway gave a brief presentation explaining to the Board that this property was owned and managed by himself and his three brothers and that they have pursued zoning for a rail served industrial park with the existing dairy as the major tenant for the property. Mr. Vanderway explained the main points of concern were the exclusion of several items from the opportunities and constraints map and the text document explaining the surrounding uses, i.e. buried utility lines, the dairies and the APS substation. He also wanted some language attached to each lot deed explaining that this was an existing area of agriculture and industry. The Vanderways were still concerned about the high-proposed density. The applicants stated that most of these concerns have already been addressed and that the text and maps will be revised to more accurately describe the surrounding area. Mr. Ullrich explained that the high density target allows for future market conditions and products. Chair Hawley requested staff to continue to work with both parties on a solution and provide a revised submittal for review before re-scheduling this item for Town Council approval. Chair Hawley also wanted this proposed "Notice of Agricultural and Industrial Activity" to be part of a deed or public report. Chris Cacheris, representative for Havard Investments, stated that they will have addressed this "Notice" with similar language in the public report. Chair Hawley opened the public Hearing. Greg Vogel, with Arizona Land Advisors, stated that 3 years ago a Deed Restriction that was proposed by the Vanderways was agreed to by this applicant for the western portion of the site where they are showing the employment parcels. Mr. Vanderway requests that the Community Master Plan be accurate and comprehensive and should disclose the adjacent existing and proposed industrial zoning. Chair Hawley stated that by either the staff recommended stipulation "y" or by state law the applicant agrees to disclose the surrounding uses. Mr. Ullrich stated that all

information regarding the Dairy and the Industrial zoning will be disclosed in the public record. Mr. Vanderway still commented on the high proposed density. Mr. Ullrich stated the proposed densities are not out of line from what other CMPs have proposed. Vice-Chair Raney stated that all parties agree to most of the text amendments and he requests that the language discussing the "Notice" to be added somewhere within this project be noted as a stipulation. He also stated that staff shall work on reviewing the location of the water tank to make it more internal. Alternate Member Zwerg questioned the applicants need to locate residential parcels off Broadway Road and Jackrabbit Trail because this is an industrial area. Mr. Ullrich explained that there is only so much industrial that a community can support and you need housing for the industrial workers. Chair Hawley requested that, if necessary, staff meet with both parties to discuss further issues. There being no further comments from the public, Chair Hawley closed the public hearing. Vice-Chair Raney made a motion to recommend approval of CMP03-304, with a stipulation that items discussed for correction and the verbiage from the "Notice of Agricultural and Industrial Activity" handout provided by Mr. Vanderway be part of this project, seconded by Member Jimenez. The motion passed unanimously.

5C. CMPA04-89: VERRADO CMP AMENDMENT No. 3

Request by Karrin Taylor, with Biskind, Hunt & Taylor, PLC, on behalf of DMB White Tank, LLC, for approval of Verrado CMP Major Amendment No. 3, Modifications to Section 3.03.L.4.b, Swimming Pool Enclosure Design. This major amendment will modify the swimming pool enclosure requirements as detailed in Section 3.03.L.4.b in the approved Verrado Community Master Plan. Mr. Harmer gave a brief overview of the amendment stating the locking mechanism previously required was not attainable and that this amendment would allow Verrado to be compliant with State Statutes. Chair Hawley opened the Public Hearing. There being no comments from the public, Chair Hawley closed the public hearing. Vice-Chair Raney made a motion to recommend approval of CMPA04-89 seconded by Member Jimenez. The motion passed unanimously.

5D. A04-01: GERARD CONSTRUCTION ANNEXATION

Request by Ron Gerard of Gerard Construction for the annexation of approximately 10 acres of land approximately 1/8 mile south of Yuma Road and 1/4 mile east of Miller Road. The Board questioned where the access to this site was. Mr. Gerard explained that they had acquired a 30' easement from Yuma Road down to this site. Vice Chair Raney made a motion to approve A04-01 seconded by Alternate Member Zwerg. The motion passed unanimously.

THE COMMUNITY PLANNING AND DEVELOPMENT BOARD HEARD THE INTRODUCTION FOR ITEMS 5E AND 5F AS ONE ITEM.

Curtis Coughlin, with Land Services Group, on behalf of Cowley Companies stated that he has worked closely with staff to create a plan that was acceptable to both the Planning Department and the Economic Development Department and which met the requirements of the Town. Chair Hawley asked staff if this project complied with the Town of Buckeye General Plan Land Use. Ms. Zeller stated that staff reviewed the application and it complies with the Growing Smarter requirements governing Major and Minor General Plan Amendments.

5E. MINGPA03-198: COWLEY COMPANY MINOR GENERAL PLAN AMENDMENT

Request by Curtis Coughlin, on behalf of Cowley Companies, for a Minor Amendment to the Town of Buckeye's General Plan Land Use Map for approximately 124 acres on the southeast corner of I-10 and Wilson Avenue. The request is to amend the existing plan from General Commerce zoning to Commercial Center, Mixed Residential and Planned Residential zoning. Vice Chair Raney made a motion to approve MINGPA03-198 seconded by Member Jimenez. The motion passed unanimously.

5F. MINGPA03-199: COWLEY COMPANY MINOR GENERAL PLAN AMENDMENT

Request by Curtis Coughlin, on behalf of Cowley Companies, for a Minor Amendment to the Town of Buckeye's General Plan Land Use Map for approximately 153 acres at the southeast corner of Oglesby Road and Southern Avenue. This request is to amend the existing plan from General Commerce to General Commerce, Commercial Center, Mixed Residential and Planned Residential zoning. Vice Chair Raney made a motion to approve MINGPA03-199 seconded by Member Jimenez. The motion passed unanimously.

5G. SP03-498: CAFÉ SITE PLAN

Request by Joe and Hortencia Blanton for Site Plan approval for a coffee house / café to be located at 801 East Monroe Avenue. Mr. Garthright gave a brief overview of the project and stated that it will be completed in three phases. Hortencia Blanton was present for questions. Chair Hawley opened the public hearing. There being no comments from the public, chair Hawley closed the public hearing. Vice Chair Raney made a motion to approve SP03-498 seconded by Alternate Member Zwerg. The motion passed unanimously.

5H. A04-02: TOMACHOFF ANNEXATION

Request by Scott Truitt, with Don Bennett and Associates, on behalf of Mr. and Mrs. Tamachoff, for the annexation of approximately 146 acres located at the northwest corner of Southern Avenue and Apache Road. Mr. Garthright gave a brief overview of the request. Vice Chair Raney made a motion to approve A04-02 seconded by Alternate Member Zwerg. The motion passed unanimously.

5I. RZ04-92: TOMACHOFF REZONING

Request by Scott Truitt, with Don Bennett and Associates, on behalf of Mr. and Mrs. Tomachoff for the rezoning of approximately 146 acres located at the northwest corner of Southern Avenue and Apache Road from Rural-43 (Maricopa County) to Planned Residential (Town of Buckeye). Vice Chair Raney made a motion to approve RZ04-92 seconded by Alternate Member Zwerg. The motion passed unanimously.

5J. A03-23: SWEETWATER ESTATES ANNEXATION

Request by Michael Fa, with Design Fusion, on behalf of Akisaku Industries, LLC, Willowdale Investments and Ellice Investments for the annexation for some portions of Sweetwater Estates listed as parcels; 504-15-041J, 504-15-048B, 504-15-061A, 504-15-061D, 504-15-061C, 504-15-064A, 504-15-064C, 504-15-027L. Mr. Garthright gave a brief overview of the request. Vice Chair Raney commented that this application was very difficult to follow and needed to be presented better and have better exhibits from staff. Mr. Fa stated to the Board that he was going about these applications in as much of an orderly fashion as possible.. Vice Chair Raney made a motion to approve A03-23 seconded by Member Kempia. The motion passed unanimously.

THE COMMUNITY PLANNING AND DEVELOPMENT BOARD HEARD THE INTRODUCTION FOR ITEMS 5K, 5L, 5M, 5N, and 5P AS ONE ITEM. THE PUBLIC HEARING WAS OPENED AND COMMENTS WERE MADE ON ITEMS 5K, 5L, 5M, 5N, AND 5P. THE BOARD COMMENTED THAT ITEM 5K STATED FILE NUMBER RZ03-358 WHEN IT WAS RZ03-458. ITEM 5O (RZ03-462), WAS NOT HEARD BY THE BOARD DUE TO INSUFFICIENT PUBLIC ADVERTISEMENT FOR THE ANNEXATION APPLICATION.

Bernard Myscofski of 29201 W. Tonopah Salome Hwy., expressed his concerns for future commercial plans on these properties. Mr. Myscofski also stated his concern regarding access capability to and from his property if the applicant would abandon the Tonopah-Salome Highway alignment.

5K. RZ03-458: ELLICE INVESTMENTS REZONING

Request by Michael Fa, with Design Fusion, on behalf of Ellice Investments for the rezoning of approximately 2 acres located south of the southwest corner of Van Buren Road and Sun Valley Parkway from Rural-43 (Maricopa County) to General Commerce (Town of Buckeye).

5L. RZ03-459: AKISAKU INDUSTRIES REZONING

Request by Michael Fa, with Design Fusion, on behalf of Akisaku Industries for the rezoning of approximately 1.9 acres located at the northwest corner of Roosevelt Street and Sun Valley Parkway from Rural-43 (Maricopa County) to General Commerce (Town of Buckeye).

5M. RZ03-460: WILLOW INVESTMENTS REZONING

Request by Michael Fa, with Design Fusion, on behalf of Willow Investments for the rezoning of approximately 1.1 acres located at the southeast corner of Tonopah Salome Highway and McDowell Road from Rural-43 (Maricopa County) to General Commerce (Town of Buckeye).

5N. RZ03-461: ELLICE INVESTMENTS REZONING

Request by Michael Fa, with Design Fusion, on behalf of Ellice Investments, for the rezoning of approximately 1.5 acres located at the southwest corner of McDowell Road and Sun Valley Parkway from Rural-43 (Maricopa County) to General Commerce (Town of Buckeye).

5O. RZ03-462: ELLICE INVESTMENTS, WILLOWDALE INVESTMENTS and AKISAKU INDUSTRIES REZONING

Request by Michael Fa, with Design Fusion, on behalf of Ellice Investments, Willowdale Investments and Akisaku Industries LLC, for the rezoning of approximately 8.7 acres located at the southwest corner of Tonopah Salome Highway and Sun Valley Parkway from C-2 and Rural-43 (Maricopa County) to General Commerce (Town of Buckeye).

5P. RZ03-463: WILLOWDALE REZONING

Request by Michael Fa of Design Fusion on behalf of Willowdale Investments for the Rezoning of approximately 1.0 acres located southwest of the southwest corner of Pierce Street and Sun Valley Parkway from the R-43, Rural Residential Zoning District (Maricopa County) to the GC, General Commerce Land Use District.

CHAIR HAWLEY REQUESTED THE BOARD CONTINUE ITEMS 5K APPLICATION NUMBER RZ03-458, 5L APPLICATION NUMBER RZ03-459, 5M APPLICATION NUMBER RZ03-460, 5N APPLICATION NUMBER RZ03-461 AND 5P APPLICATION NUMBER RZ03-463 TO THE APRIL 13TH COMMUNITY PLANNING AND DEVELOPMENT HEARING. MEMBER KEMPIAK MADE A MOTION TO CONTINUE ITEMS 5K, 5L, 5M, 5N AND 5P TO THE APRIL 13TH BOARD HEARING DATE, SECONDED BY VICE-CHAIR RANEY. THE MOTION PASSED UNANIMOUSLY.

COMMENTS FROM THE PUBLIC: None

REPORT FROM STAFF:

Staff reported that the next meeting will be on the 23rd of March. Mr. Harmer distributed the Planning Legislative Update brochure to the Board, which explains some of the current cases before the Legislation.

REPORT FROM THE DEVELOPMENT BOARD: None

ADJOURNMENT:

Chair Hawley made a motion to adjourn the meeting seconded by Vice-Chair Raney. The motion passed. The Meeting adjourned at 9:00 p.m.

John Hawley, Chair

ATTEST:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Community Planning and Development Board meeting held on the 9th day of March, 2004. I further certify that the meeting was duly called and that a quorum was present.

Larry Harmer, Secretary